

# RECORD OF PROCEEDINGS

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## MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE FALCON HIGHLANDS METROPOLITAN DISTRICT

- Held** August 12, 2019 at Falcon Fire Station No. 3, 7030 Old Meridian Road, Peyton, CO 80831 at 5:30 p.m.
- Attendance** A special meeting of the Board of Directors of the Falcon Highlands Metropolitan District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualifications to serve on the Board, were in attendance:
- Tonia Joyner\*, President  
Kevin Haas, Treasurer  
Tim Dickey\*, Secretary
- (\*Arrived / departed where indicated)
- Others in attendance:
- Josh Miller, Chelsea Gondeck, Carrie Bartow & Seef Le Roux;  
CliftonLarsonAllen LLP  
Barbara Vander Wall; Seter & Vander Wall, P.C.  
John McGinn; JDS-Hydro Consultants, Inc.  
Ed & Jodi Landfair, Residents  
Baird, Resident  
Chapman, Resident  
Hart, Resident  
Tumlinson, Resident  
David Shay, Resident  
Rick Sparks, Resident  
Bridget Johnson, Resident  
Debbie Shay, Resident  
Michael Smith, Resident  
Lee T., Resident
- Call to Order** Director Haas noted that a quorum of the Board was present and called the regular meeting of the Board of Directors of the Falcon Highlands Metropolitan District to order at 5:38 p.m.
- Approval of Agenda** Upon a motion duly made by Director Haas, seconded by Director Dickey and, upon vote, unanimously carried, the Board approved the agenda with the addition of item 6.B. Consider Approval of Credit Card Application.

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### Community Comment

Jodi Landfair commented that the trail on which the District has approved the installation of bollards was proposed to remain a road for access to the backyard by the sales agent for the home. Director Haas noted that the area is a trail with no motor vehicle access and that the District is responsible for the maintenance. Jodi Landfair commented on the lack of mosquito control and Director Haas noted the District would look into mitigation efforts.

Dawn commented that there has been minimal motor vehicle traffic on the trail. Director Hass noted that construction traffic caused damage to the trail. Director Dickey noted that motor vehicle traffic on the trail is a safety issue.

Yolanda commented on the District's maintenance of the trail and that there has been no damage. Director Dickey commented that the trail is not meant for motor vehicle use.

(\*Director Joyner arrived at the meeting at this time, approximately 5:55 p.m.)

Lee T. commented that he has maintained the part of the trail near his residence and that he does not believe the bollards should be installed. Lee also requested the mosquito issue be addressed.

Mr. Miller reviewed the bollard installation that was approved at the last board meeting and the restrictions of the Board's financial obligations.

(\*Director Dickey departed the meeting at this time, approximately 6:13 p.m.)

A resident commented on the artificial turf damage at the park. Director Haas noted that the District had recently transitioned park maintenance and water operations to Woodmen Hills Metro District and that landscaping and playground issues will be addressed.

Following discussion, upon a motion duly made by Director Haas, seconded by Director Joyner and, upon vote, unanimously carried, the Board moved to postpone the installation of the bollards and review additional options for limiting access to the trail.

- Consent Agenda
- A. Consider Approval of July 8, 2019 Regular Meeting Minutes
  - B. Review and Consider Approval of June 30, 2019 Unaudited Financial Statements
  - C. Review and Consider Approval of Current Claims

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Upon a motion duly made by Director Haas, seconded by Director Joyner and, upon vote, unanimously carried, the Board approved the Consent Agenda, as presented.

Manager Matters A. Manager Report

Mr. Miller noted that he had nothing further than what was presented during the community comment.

Financial Matters A. Conduct Public Hearing to Consider Amending 2019 Budget; Consider Adoption of Resolution No. 2019-08-01 to Amend 2019 Budget

Ms. Bartow reviewed the proposed amendments to the 2019 budget.

Upon a motion duly made by Director Joyner, seconded by Director Haas and, upon vote, unanimously carried, the Board opened the public hearing at 6:32 p.m. There were no public comments at this time. Upon a motion duly made by Director Joyner, seconded by Director Haas and, upon vote, unanimously carried, the Board closed the public hearing at 6:38 p.m.

Upon a motion duly made by Director Haas, seconded by Director Joyner and, upon vote, unanimously carried, the Board approved Resolution No. 2019-08-01 to amend the 2019 budget, for the purpose of increasing the general fund and the enterprise fund amounts.

B. Other

Ms. Bartow discussed the use of a District credit card by applicable Woodmen Hills Metro District staff members, for purposes of making minor expenditures (not to exceed \$5,000) as part of the District's water treatment operations. The credit card is intended to be held by the Operator in Responsible Charge. The Board authorized the use of a District credit card as discussed.

Legal Matters A. Legal Report

Ms. Vander Wall noted a legal report was not prepared for the special meeting.

B. Review and Acceptance of Water and Sewer Easement from Cygnet for Interconnect Project

Ms. Vander Wall reviewed the proposed easement from Cygnet Land to the Falcon Highlands Metropolitan District, with the Board. The

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purpose of the easement is to allow for additional access in connection with the emergency interconnect project. Upon a motion duly made by Director Joyner, seconded by Director Haas and, upon vote, unanimously carried, the Board approved the water and sewer easement from Cygnet as presented.

### Engineering Matters

#### A. Engineering Report

None.

#### B. Review Bid Tabulation and Consider Notice of Award for Emergency Interconnect Project

Mr. McGinn reviewed the bid tabulation with the Board and recommended the bid from Glacier Construction. He noted that there would be about an 8-10 week delay before physical construction begins.

Following discussion, upon a motion duly made by Director Joyner, seconded by Director Haas and, upon vote, unanimously carried, the Board approved the notice of award for the emergency interconnect project for Glacier Construction in the amount of \$111,880. The Board further authorized the District manager to approve additional amounts of up to five percent (5%) to cover change orders for contingency items.

### Director Items

None.


### Other Business

#### A. Set Next Board Meeting – Monday, September 9, 2019 at 5:30 p.m.

A quorum for the regular meeting on Monday, September 9, 2019 was confirmed.

### Adjournment

Upon a motion duly made by Director Joyner, seconded by Director Haas and, upon vote, unanimously carried, the Board adjourned the meeting at 6:51 p.m.

  
Secretary for the Meeting

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